

LEROY TOWNSHIP
8156 4 Mile Road
East Leroy, Michigan 49051

PLANNING COMMISSION MEETING MINUTES
May 19, 2021

CALL TO ORDER-

The meeting was called to order by Chairperson Pete VanVranken at 6:00pm

ROLL CALL-

Members present: Pete VanVranken, Bobbi Suchan, Phil Qualls, Mark Christoff, Travis Arbogast, Doug Chapman and Kevin Smith. Others present: Township Supervisor Laveta Hardish, Township Zoning Administrator Rob Behnke and ten (10) guests.

APPROVAL OF MEETING MINUTES-

A motion was made by Kevin Smith to approve the April 14, 2021, meeting minutes as presented, supported by Mark Christoff. **Motion carried with unanimous approval.**

PUBLIC HEARING ON THE CONDITIONAL USE PERMIT REQUEST & SITE PLAN REVIEW FOR THE DUCKWORTH COMMERCIAL TELECOMMUNICATIONS TOWER-

Chairperson VanVranken called the Public Hearing to Order at 6:02pm.

A presentation was made by Rebecca Duckworth and Tim Traister (co-owners of the tower). Rebecca explained the origin of the tower associated with the need for dependable internet services for her children because of virtual learning and for her and her husband's business. The tower has been designed to offer quality internet services to residential areas in the Township. She also indicated that Shawn Wayne of Wayne Technologies approach her and her husband about locating the tower on their property at 2776 F Drive South. The actual internet service is being provided through Wayne Technologies and that they (the Duckworth's and the Traister's just own the tower).

Tim Traister indicated that Shawn Wayne was responsible for obtaining all required permits and approvals as per their agreement with Wayne Technologies. Unfortunately, he did not do this prior to the installation of the tower (which is a violation of the Leroy Township Zoning Ordinance). Both Rebecca and Tim promised that they would obtain the required permits if the Conditional Use Permit and Site Plan are approved by the Township Board.

BOARD MEMBER QUESTIONS/COMMENTS-

Phil Qualls asked about the tower usage in the future. Could other providers co-locate on this particular tower. Zoning Administrator Behnke indicated that if there was another internet service provider that used wireless communications could probably co-locate on the tower. He also indicated that a cellular service similar to either Verizon, T-Mobile or AT&T might not be able to co-locate depending on the size and weight of equipment needed.

Kevin Smith expressed a concern on why it took so long to obtain needed information about this tower. Zoning Administrator Behnke indicated that the information was coming mostly from Shawn Wayne who was very slow in responding.

Chairperson VanVranken expressed his concern and disappointment in everyone associated with this project. He indicated that they all should have known that permits and approvals would be needed. He also expressed his disappointment that Shawn Wayne was not present at the meeting.

Mark Christoff agreed with Chairperson VanVranken's comments and that there needs to be more accountability of contractors who do work without appropriate permits and approvals.

Doug Chapman shared his thoughts on the liability the Duckworth had when Shawn Wayne was working on their property (installing the telecommunications tower). If Shawn Wayne, or one of his employees, had been injured the liability would have fallen back onto the Duckworth's.

Travis Arbogast indicated that a fence needed to be installed around the tower so that no one (possibly kids in the area) climbs the tower. He also stated how important internet access is to the community.

Bobbi Suchan asked about the number of current users. It was stated that there are approximately 40 households using the service.

PUBLIC QUESTIONS/COMMENTS-

Rebecca Duckworth, 2776 F Drive South, indicated they wanted this service to benefit as many people as it could in the community because it is a very needed service.

Tim Traister, 8712 2 ½ Mile Road, indicated his desire to do what needs to be done in terms of permits and approvals.

Alex Henchel, 8990 2 ½ Mile Road, indicated that the current internet is great and its essential to his family.

Tyler Faber, 8687 2 ½ Mile Road, said that the service is essential for the community.

David Anthony, 7993 Lancaster Lane, likes the internet service that is currently being provided through the Duckworth & Traister tower.

Mike Brenner, 152 Steamburg Drive, supports the tower and the internet service he is receiving at his home.

Ben & Charlyn Gress, 9004 2 ½ Mile Road, indicated their support and the need for a quality internet service.

Zoning Administrator Behnke indicated that the Township Office received (2) **letters of support** for the DUCKWORTH Conditional Use Permit. The first was from Don Kachman, 7932 Lancaster Lane, dated May 19, 2021 and the other was from Travis & Lara Markos, 8735 2 ½ Mile Road.

CLOSURE OF DUCKWORTH PUBLIC HEARING-

Chairperson VanVranken closed the Public Hearing at 6:42pm.

NEW BUSINESS-

Travis Arbogast offered the following motion: ***I move that the Planning Commission recommend to the Leroy Township Board the APPROVAL of the Josh & Rebecca Duckworth Conditional Use Permit for the operation of a commercial telecommunications tower on their property at 2776 F Drive South with the following CONDITIONS:***

- 1. All required permits, and required inspections, associated with the installation of a commercial telecommunications tower be obtained, paid for and completed within thirty (30) days of Township Board approval***
- 2. Installation of a chained link fence that is 10' x 10' x 8' tall***

Supported by Phil Qualls.

ROLL CALL VOTE:

Chairperson VanVranken- YES
Vice Chair Arbogast- YES
Member Mark Christoff- YES
Member Phil Qualls- YES
Member Kevin Smith- YES
Member Bobbi Suchan- YES
Member Doug Chapman- YES

Motion carried.

Travis Arbogast offered the following motion: ***I move that the Planning Commission recommend to the Leroy Township Board the APPROVAL of the Josh & Rebecca Duckworth Site Plan associated with the installation of a commercial telecommunications tower on the property at 2776 F Drive South with the following CONDITIONS:***

- 1. That all conditions outlined in the approval of the DUCKWORTH Conditional Use Permit be adhered to fully within 30 days of Township Board approval***

Supported by Bobbi Suchan.

ROLL CALL VOTE:

Chairperson VanVranken- YES
Vice Chair Arbogast- YES

Member Mark Christoff- YES
Member Phil Qualls- YES
Member Kevin Smith- YES
Member Bobbi Suchan- YES
Member Doug Chapman- YES

Motion carried.

A motion was made by Kevin Smith that Planning Commission conduct a Public Hearing on the proposed 2021 Master Plan & Future Land Use Map on **July 14, 2021 at 6:00pm** at the Leroy Township Community Building, supported by Phil Qualls. **Motion carried with unanimous approval.**

BOARD MEMBER QUESTIONS/COMMENT-

There were no specific questions or comments.

ADJOURNMENT-

A motion was made by Mark Christoff to adjourn the meeting at 6:55pm, supported by Kevin Smith.
Motion carried with unanimous approval.

Respectfully submitted,

ROB BEHNKE
Zoning Administrator
Recording Secretary